



House of Representatives

General Assembly

File No. 185

February Session, 2016

Substitute House Bill No. 5347

House of Representatives, March 24, 2016

The Committee on Program Review and Investigations reported through REP. CARPINO of the 32nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT IMPROVING CUSTOMER SERVICE TO VETERANS BY THE
ADVOCACY AND ASSISTANCE UNIT OF THE DEPARTMENT OF
VETERANS' AFFAIRS AND STRENGTHENING COORDINATION
BETWEEN THE DEPARTMENT AND MUNICIPALITIES BASED ON A
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (b) and (c) of section 27-102l of the 2016
2 supplement to the general statutes are repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2016*):

4 (b) (1) The commissioner may appoint a unit head to administer a
5 veterans' advocacy and assistance unit for the aid and benefit of
6 veterans [.] and their spouses, [and] eligible dependents and family
7 members. [Such unit shall conduct an annual training course for any
8 city or town employee designated a veterans' service contact person
9 pursuant to subsection (b) of section 27-135.] The unit shall have a staff
10 of not less than eight men and women, including six service officers,
11 and clerical personnel. The unit head and the service officers shall be

12 veterans, as defined in section 27-103, or veterans who were awarded
13 the armed forces expeditionary medal for service by the armed forces.
14 At least one of the service officers shall be a woman having a
15 demonstrated interest in the concerns of women veterans, who shall be
16 responsible for addressing those concerns, and, effective upon the next
17 opening of a service officer position occurring on or after July 1, 2010,
18 at least two of the service officers shall be individuals having bilingual
19 proficiency in English and Spanish, within existing authorized
20 positions. Each service officer shall successfully complete a course in
21 veterans' benefits within one year of commencement of employment
22 and shall be assigned to one of the five congressional districts of the
23 state.

24 (2) The unit staff shall, at least twice annually, conduct a training
25 course for any city or town employee designated a veterans' service
26 contact person pursuant to subsection (b) of section 27-135, as
27 amended by this act. The unit staff shall include in such training
28 course a summary of state and federal services and benefits, the duties
29 to be carried out by each veterans' service contact person, as described
30 in subsection (a) of section 27-135, as amended by this act, and any
31 assistance the unit staff may provide to any veterans' service contact
32 person related to such duties.

33 (3) (A) The veterans' advocacy and assistance unit shall develop a
34 written outreach plan identifying (i) strategies for conducting outreach
35 to veterans and their spouses, eligible dependents and family members
36 for purposes of providing assistance in claims for veterans' services or
37 benefits, and (ii) to the extent possible, specific events and other
38 opportunities to provide such assistance that are sponsored by the unit
39 or in which the unit is participating. The unit shall update such written
40 outreach plan as necessary to improve the efficacy of its outreach
41 efforts.

42 (B) The unit head and each service officer shall electronically track
43 information relating to outreach conducted by the unit, including, but
44 not limited to, the number of veterans or their spouses, eligible

45 dependents or family members reached and any assistance to any such
46 individual provided at or resulting from an event or opportunity
47 described in subparagraph (A)(ii) of this subdivision.

48 (C) The unit shall utilize the notifications received from the
49 administrator of each nursing home, hospital and assisted living
50 facility in the state, pursuant to subdivision (2) of subsection (c) of this
51 section, to develop an annual schedule for each service officer to visit
52 nursing homes, hospitals and assisted living facilities. The unit shall
53 compile any information collected as a result of such visits and provide
54 quarterly reports on such information to the Board of Trustees for the
55 Department of Veterans' Affairs.

56 (D) The unit shall provide quarterly reports to the Board of Trustees
57 for the Department of Veterans' Affairs on (i) concerns raised by
58 veterans or their spouses, eligible dependents or family members,
59 which concerns shall be summarized by type, frequency and
60 resolution, (ii) petitions filed by veterans or their spouses, eligible
61 dependents or family members received by the commissioner under
62 section 27-102l(d)-54 of the regulations of Connecticut state agencies
63 for the four preceding months, and (iii) copies of any such petitions.

64 (c) In addition to the powers and duties prescribed under section 4-
65 8, the commissioner shall have the following powers and duties:

66 (1) To prepare studies and collect information concerning facilities
67 and services available to members of the armed forces [,] or veterans [,
68 their] or the spouses or eligible dependents of such members or
69 veterans, including facilities and services for veterans who may have
70 been exposed to a Vietnam herbicide during their periods of military
71 service;

72 (2) To [conduct interviews in the nursing homes or hospitals
73 throughout the state to determine the number of veterans admitted
74 and ascertaining which benefits such veterans are currently receiving
75 and are entitled to receive] require that the administrator of each
76 nursing home, hospital and assisted living facility in the state

77 electronically notify the veterans' advocacy and assistance unit twice
78 annually of (A) any new resident in such nursing home, hospital or
79 assisted living facility who is a veteran or a spouse, eligible dependent
80 or family member of a veteran, and (B) any veterans' service or benefit
81 such new resident receives and is entitled to receive. Each such
82 nursing home, hospital or assisted living facility, in the course of
83 notifying said unit, shall collect and maintain any data and shall not
84 release any individually identifiable health information without the
85 consent of the resident or patient to whom the information pertains, in
86 accordance with the requirements of the federal Health Insurance
87 Portability and Accountability Act of 1196 (P.L. 104-191) (HIPAA), as
88 amended from time to time, or regulations adopted thereunder. As
89 used in this subdivision, "new resident" means a resident of whom the
90 veterans' advocacy and assistance unit has not been previously
91 notified;

92 (3) To cooperate with service agencies and organizations
93 throughout the state in disseminating and furnishing counsel and
94 assistance of benefit to residents of this state who are or have been
95 members of the armed forces [.] or their spouses or eligible
96 dependents, which will indicate the availability of: (A) Educational
97 training and retraining facilities; (B) health, medical, rehabilitation and
98 housing services and facilities; (C) employment and reemployment
99 services; (D) provisions of federal, state and local laws affording
100 financial rights, privileges and benefits; and (E) other matters of
101 similar nature;

102 (4) To assist veterans [.] and their spouses, [and] eligible dependents
103 and family members in the preparation, presentation, proof and
104 establishment of such claims, privileges, rights and other benefits
105 accruing to them under federal, state and local laws;

106 (5) To cooperate with all national, state and local governmental and
107 private agencies securing or offering services or any benefits to
108 veterans [.] or their spouses or eligible dependents;

109 (6) To develop and prepare a long-range plan and mission statement

110 for the Veterans' Home and the veterans' advocacy and assistance unit;

111 (7) To review all appeals made by veterans [.] or their spouses, [or]
112 eligible dependents or family members and render the final decision
113 thereon regarding the denial of admission to any program or the
114 refusal to render any service or benefit which is administered by the
115 Department of Veterans' Affairs, the discharge or transfer from any
116 such program or any disciplinary action taken while participating in
117 any such program; and

118 (8) If the Veterans' Home closes or ceases to provide housing to
119 veterans, to provide or arrange for housing to any veteran residing at
120 the home or the health care facility within the home on the date of such
121 closure or on the date the Veterans' Home ceases to provide housing to
122 veterans.

123 Sec. 2. Section 27-135 of the general statutes is repealed and the
124 following is substituted in lieu thereof (*Effective October 1, 2016*):

125 (a) Any city or town, either separately or with one or more other
126 cities and towns, may, by ordinance, establish a local veterans'
127 advisory committee which shall have the responsibility of carrying out
128 locally the duties and purposes of this section and, within their charter
129 powers and as otherwise provided by law, may make available to such
130 local committees the necessary funds to carry out their duties and
131 responsibilities. The committee may (1) act as the coordinating agency
132 in all matters concerning veterans and their dependents, coordinating
133 the activities of public and private facilities concerned with veterans'
134 reemployment, education, rehabilitation and adjustment to peacetime
135 living; (2) cooperate with all national, state and local governmental and
136 private agencies in securing services and benefits to which a veteran or
137 his dependents may be entitled; (3) use the services and facilities of the
138 veterans organizations so far as possible to carry out the purposes of
139 this section; and (4) encourage and coordinate vocational training
140 services for veterans.

141 (b) (1) Any city or town that [(1)] has not established its own local

142 veterans' advisory committee separate from one or more other cities or
 143 towns pursuant to subsection (a) of this section [, and (2)] and does not
 144 otherwise provide funding for a veterans' service officer shall
 145 designate a city or town employee to serve as a veterans' service
 146 contact person in such city or town. The Commissioner of Veterans'
 147 Affairs shall annually send to the chief executive officer of any such
 148 city or town an electronic notification of such chief executive officer's
 149 duty to so designate a city or town employee in accordance with this
 150 subsection. Such chief executive officer shall, not later than thirty days
 151 after receipt of such notification, submit to the veterans' advocacy and
 152 assistance unit, as described in subsection (b) of section 27-102l, as
 153 amended by this act, the name and electronic mail address of the city
 154 or town employee so designated. As used in this subdivision, "chief
 155 executive officer" means the officer described in section 7-193.

156 (2) Any city or town employee designated as a veterans' service
 157 contact person shall carry out the duties described in subsection (a) of
 158 this section and [may complete an annual] shall complete a training
 159 course conducted by the veterans' advocacy and assistance unit, as
 160 described in subdivision (2) of subsection (b) of section 27-102l, as
 161 amended by this act. Each employee so designated prior to July 1,
 162 2016, shall complete such training course prior to January 1, 2017. Each
 163 employee so designated on or after July 1, 2016, shall complete such
 164 training course not later than one year after the date of such
 165 designation. Upon completion of such training course, a veterans'
 166 service contact person may thereafter receive electronically any new or
 167 updated training information from the veterans' advocacy and
 168 assistance unit and shall not be required to complete any other such
 169 training course.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2016	27-102l(b) and (c)
Sec. 2	October 1, 2016	27-135

PRI *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Vet. Affairs, Dept.	GF - Cost	approximately 100	approximately 100

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill, which requires the veterans' advocacy and assistance unit at the Department of Veterans' Affairs to conduct a training twice annually, instead of once annually, results in a cost of approximately \$100 for training materials. Other provisions of the bill are not anticipated to result in a fiscal impact as the agency is currently initiating the new statutory requirements, or can do so without requiring additional resources.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5347*****AN ACT IMPROVING CUSTOMER SERVICE TO VETERANS BY THE ADVOCACY AND ASSISTANCE UNIT OF THE DEPARTMENT OF VETERANS' AFFAIRS AND STRENGTHENING COORDINATION BETWEEN THE DEPARTMENT AND MUNICIPALITIES BASED ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.*****SUMMARY:**

Under this bill, the Department of Veterans' Affairs (DVA) commissioner must require the administrators of each nursing home, hospital, and assisted living facility in the state to electronically notify the DVA's veterans' advocacy and assistance unit two times a year with specified information on new residents who are veterans or their family members. The unit must use this information to develop an annual schedule for veteran service officers to visit these facilities.

The bill requires the advocacy and assistance unit to:

1. conduct a training for veteran service contact persons two times a year rather than annually as required under current law,
2. develop a written outreach plan for reaching veterans and their family members to provide them with assistance with claims for services and benefits,
3. electronically track information relating to outreach it conducts, and
4. provide quarterly reports to the DVA board of trustees on (a) concerns and petitions of veterans and their family members and (b) the information collected from the veteran service officers' facility visits.

By law, the chief executive of any municipality without a local veterans' advisory committee must designate a municipal employee to serve as a veteran service contact person. The bill requires (1) the DVA commissioner to annually send electronic notification reminding such executives of this responsibility and (2) rather than allows, the designated contact person to complete an advocacy and assistance unit training within a specified time period.

EFFECTIVE DATE: October 1, 2016

NEW RESIDENTS

The bill requires the administrator of each nursing home, hospital, and assisted living facility in the state to electronically notify the advocacy and assistance unit twice annually of any (1) new resident in such facility who is a veteran or veteran's spouse, dependent, or family member and (2) veterans' service or benefit the new resident receives or is entitled to receive. Under the bill, a "new resident" is one of whom the unit has not previously been notified.

Under the bill, each facility in the course of notifying DVA must also collect and maintain the data. The facilities must not release any individually identifiable health information without the consent of the person to whom the information pertains, in accordance with the federal Health Insurance Portability and Accountability Act (HIPAA).

Once the advocacy and assistance unit receives the notification, it must use the information to develop an annual schedule for each veteran service officer to visit the facilities. The unit must compile any information collected as a result of the visits and provide quarterly reports to the DVA board of trustees.

VETERANS' ADVOCACY AND ASSISTANCE UNIT

Veterans' Service Contact Person Training

The bill requires the advocacy and assistance unit to include in the training course for designated veterans' service contact people: (1) a summary of state and federal services and benefits, (2) each veterans' service contact person's duties, and (3) any assistance the unit staff

may provide the contact person related to such duties.

The bill also requires, rather than allows, such contact person to complete an advocacy and assistance unit training. If the contact person was designated (1) before July 1, 2016, he or she must complete the training before January 1, 2017 and (2) on or after July 1, 2016, he or she must complete the training within one year of designation.

Once the contact person has completed the training, he or she (1) may electronically receive any new or updated training information from the unit and (2) must not be required to complete any other such training course.

Written Outreach Plan

The bill requires the advocacy and assistance unit to develop a written outreach plan identifying (1) strategies for conducting outreach to veterans and their spouses, eligible dependents, and family members in order to provide assistance in claims for veterans' services or benefits and (2) to the extent possible, specific events and other opportunities to provide unit-sponsored or -participating assistance. The unit must update the outreach plan as necessary to improve the efficacy of its outreach efforts.

Electronic Tracking

The bill requires the unit head and each service officer to electronically track information related to outreach conducted by the unit, including (1) the number of veterans or their spouses, eligible dependents, or family members reached and (2) any assistance to any such individual provided at or resulting from a unit-sponsored or -participating event or opportunity.

Quarterly Report

Under the bill, the advocacy and assistance unit must provide quarterly reports to the DVA board of trustees that include (1) concerns raised by veterans or their spouses, eligible dependents, or family members, which must be summarized by type, frequency, and resolution; (2) petitions filed by such individuals; and (3) copies of any

such petitions.

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Substitute

Yea 10 Nay 0 (03/07/2016)